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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/646,382	08/21/2003	Kazuei Yamaguchi	NMCIP044	9725		
22434 7:	590 10/12/2005		EXAM	EXAMINER.		
BEYER WEAVER & THOMAS LLP			ZIRKER, DANIEL R			
P.O. BOX 70250 OAKLAND, CA 94612-0250			ART UNIT	PAPER NUMBER		
			1771			
			DATE MAILED: 10/12/200	DATE MAILED: 10/12/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/646,382	YAMAGUCHI ET AL.		
Examiner	Art Unit		
Daniel Zirker	1771		

-The MAILING DATE of this communication appears on the cover sheet with the correspondence address THE REPLY FILED 26 September 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. 1. Important the reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affective, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 1.13.1; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.13.1. The reply must be filed within one of the standard prior of the final rejection. b) Important for the periods: The period for reply expiresmonths from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of the final rejection on the final rejection on the contract of the final rejection on the final rejection of the final rejection on the final rejection of the fi		Cxammer	Artonit	1				
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this application, applicant must timely file one of the following replies: (1) an amendment, affidavi, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods: a) The period for reply expires om: (1) the mailing date of the final rejection. b) The period for reply expires om: (1) the mailing date of the final rejection. Examiner Note: if box 15 echeckd, check either box (a) or (6). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). Extensions of time may be obtained under 37 CFR 1.13(6). The date on which the petition under 37 CFR 1.13(6) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee may result only or proposed amount of the fee. The appropriate extension fee may result only or proposed amount of the fee. The appropriate extension fee and see the filed of proposed amount of the fee. The appropriate extension fee and see an explaination of Appeal and See and Tension (1) and the appropriate extension fee and see an explaination of the filed of the filed after a final rejection, but prior to the date of filing a brief, will not be entered because a Notice of Appeal and See and Tension (2) and the proposed amount of the filed after a	THE REPLY FILED 26 September 2005 FAILS TO PLACE THI	S APPLICATION IN CONDITION F	OR ALLOWANCE.					
to event, however, will the statutory period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set fort in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL RELECTION. See MFEP 708.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final office action; or (2) a set forth in (b) above, if checked, Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL. 2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(a)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). AMENDMENTS 3.	. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:							
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have been flied is the date for purposes of determining the period of extension and the corresponding amount of the feet. The appropriate extension fee under 37 CFR 117(a) is calculated from: (1) the exprisation date of the shortened statutory period for reply originally set in the final Office action; or (2) as for thin (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed may reduce any earned patent term adjustment. See 37 CFR 1704(b). NOTICE OF APPEAL The Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). Amelon	Examiner Note: If box 1 is checked, check either box (a) or	Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN						
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3.	filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).							
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13. Other:	See Continuation Sheet.							
Daniel Zirker Primary Examiner								
		Amiel 7 bis	Daniel Zirker Primary Examiner					

Art Unit: 1771

Continuation of 11. does NOT place the application in condition for allowance because: Applicants' arguments appear to overlook the fact that they are claiming an article whose limitations are either clearly set forth or rendered obvious by the relied upon prior art, for reasons already of record. Additionally, it is further noted that several of applicants arguments are directed towards process of use limitations which are not seen to be patentably significant in an article claim.